

Message Text

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APPROVED BY INR:HHTSAUNDERS

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TO USDEL SECRETARY IMMEDIATE

S E C R E T STATE 015449 TOSEC 010103

NODIS

E.O. 11652: GDS

TAGS: PINR

SUBJECT: HIGHLIGHTS OF DRAFT PIKE COMMITTEE REPORT

FOR SECRETARY FROM EAGLEBURGER AND SAUNDERS

1. THIS TELEGRAM IS TO GIVE YOU AN INITIAL SENSE OF THE MAIN ELEMENTS OF THE CURRENT DRAFT OF THE PIKE COMMITTEE REPORT. THE COMMITTEE STAFF PROVIDED CIA WITH A COPY "AS A COURTESY," SAYING THAT THE COMMITTEE WOULD BE "INTERESTED" IN THE AGENCY'S COMMENTS WHILE MAINTAINING THAT THE COMMITTEE'S FINAL REPORT IS NOT SUBJECT TO THE AGREEMENT REGARDING ACCESS AND DISCLOSURE OF CLASSIFIED MATERIAL WHICH PIKE REACHED WITH THE PRESIDENT LAST SEPTEMBER. WE ARE PARTICIPATING IN AN EFFORT TO ASSURE THAT, AT A MINIMUM, MATERIAL WHICH REMAINS CLASSIFIED IS NOT PUBLISHED IN THE REPORT. THE REPORT IS CURRENTLY SCHEDULED TO GO TO THE SECRET

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PRINTER ON JANUARY 27, AND THE COMMITTEE IS MEETING NOW TO MAKE ITS DECISION ON THE HANDLING OF CLASSIFIED MATERIAL.

2. THE HEADINGS OF THE TABLE OF CONTENTS ARE DESCRIBED AT THE END OF THIS TELEGRAM. THE HIGHLIGHTS OF THE REPORT

WHICH ARE OF SPECIAL INTEREST TO YOU ARE DESCRIBED IN THE NEXT FEW PARAGRAPHS. WE SHOULD POINT OUT IN ADVANCE THAT, WHILE THE CHARGES COLLECTED IN ONE PLACE AS THEY ARE BELOW

ARE INFURIATING, FOR WHATEVER CONSOLATION IT IS WORTH THEY ARE SCATTERED THROUGH A 340-PAGE REPORT WITH LONG STRETCHES OF UNRELATED MATERIAL BETWEEN.

3. OVERALL. THE TONE OF THE REPORT IS SET IN ITS OPENING PAGES: "IF THIS COMMITTEE'S RECENT EXPERIENCE IS ANY TEST, SPY AGENCIES THAT ARE TO BE CONTROLLED BY CONGRESSIONAL LAW-MAKING ARE, TODAY, BEYOND THE LAW-MAKER'S SCRUTINY. THESE SECRET AGENCIES HAVE INTERESTS THAT INHERENTLY CONFLICT WITH THE OPEN ACCOUNTABILITY OF A POLITICAL BODY, AND THERE ARE MANY TOOLS AND TACTICS TO BLOCK AND DECEIVE CONVENTIONAL CONGRESSIONAL CHECKS.... IN SHORT, THE WORDS WERE ALWAYS WORDS OF COOPERATION; THE REALITY WAS DELAY, REFUSAL, MISSING INFORMATION, ASSERTED PRIVILEGES, AND ON AND ON." THE ENTIRE FIRST SECTION OF THE REPORT IS DEVOTED TO A DESCRIPTION OF THE COMMITTEE'S EXPERIENCE AND THE VARIOUS DEVICES WHICH THE REPORT CHARGES THAT THE ADMINISTRATION USED TO THWART ITS INVESTIGATIONS. IN A NUMBER OF CASES THROUGHOUT THE REPORT, THE TEXT FALLS BACK ON THE ASSERTION THAT THE ADMINISTRATION SUCCEEDED IN WITHHOLDING CERTAIN INFORMATION AND THEREFORE DEFINITIVE JUDGMENTS ARE NOT POSSIBLE IN THE REPORT. THE REPORT GOES ON TO DISCUSS THE DILEMMA OF SECRECY: "... THERE MUST BE A RESPONSIBLE SYSTEM OF CLASSIFICATION, ACCOMPANIED BY AN EQUALLY RESPONSIBLE AND EFFECTIVE SYSTEM OF DECLASSIFICATION. WE HAVE NEITHER." FOLLOWING THAT SETTING OF THE STAGE, THE REPORT GOES ON TO INDICATE FIRST THAT THE COSTS OF OUR INTELLIGENCE OPERATIONS ARE 3 TO 5 TIMES AS LARGE AS THE CONGRESS HAS BEEN PREVIOUSLY LED TO BELIEVE AND EXAMINES A SERIES OF "INTELLIGENCE FAILURES" TO MAKE THE POINT THAT THE AMERICAN PEOPLE ARE NOT GETTING THEIR MONEY'S WORTH, EITHER IN INTELLIGENCE
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COLLECTION AND ANALYSIS OR IN COVERT ACTION. ON TOP OF THAT, THE PROGRAM IS SUBJECT TO A NUMBER OF ABUSES SUCH AS DOMESTIC INTELLIGENCE INVESTIGATIONS AND MANIPULATIONS SUCH AS THE ALLEGED "POLITICAL CONTROL OF INTELLIGENCE IN CONNECTION WITH THE SALT 'HOLD' SYSTEM."

4. OF PARTICULAR INTEREST TO YOU ARE THE FOLLOWING WHICH ARE SPREAD THROUGHOUT THE REPORT. THESE ARE PRESENTED MORE OR LESS IN THE ORDER IN WHICH THEY COME UP IN THE REPORT.

A. DAVIES DEATH. "THERE SITS BEFORE THE COMMITTEE, FOR EXAMPLE, UNRESOLVED TESTIMONY THAT DR. KISSINGER HIMSELF MAY HAVE RECEIVED A CLOSELY HELD INTELLIGENCE REPORT

IDENTIFYING THE PEOPLE WHO KILLED THE AMERICAN AMBASSADOR,
RODGER DAVIES...AND THAT A PUBLIC PROTEST HAS PERHAPS NOT

BEEN RAISED BECAUSE THESE SAME MURDERERS ARE NOW OFFICIALS
OF THE CYPRUS GOVERNMENT. QUESTIONS RELATED TO THAT IN-
TELLIGENCE REPORT SHOULD, AND MUST, BE CLEARED UP."

B. BOYATT TESTIMONY. THE CHARGE IS REPEATED THAT, IN
CONNECTION WITH THE "SILENCING" OF BOYATT, YOU ASSERTED A
"NEW DOCTRINE THAT CAN BEST BE CHARACTERIZED AS 'SECRE-
TARIAL PRIVILEGE.'" IN THIS CASE, A FOOTNOTE ALSO CARRIES
YOUR STATEMENT: "I HAVE DELIBERATELY NOT ASKED THE
PRESIDENT TO EXERCISE EXECUTIVE PRIVILEGE, NOR AM I
ASSERTING A SECRETARIAL PRIVILEGE."

C. SUBPOENAS. THE DRAFT ASSERTS THAT THE 3 SUBPOENAS
DIRECTED TO THE SECRETARY OF STATE "NOT SURPRISINGLY...
WENT UNANSWERED." THIS, OF COURSE, IGNORES THE FACT THAT
A RESPONSE WAS SENT TO THE COMMITTEE IN THE FORM OF THE
ASSERTION OF EXECUTIVE PRIVILEGE. IN A SEEMING INTERNAL
CONTRADICTION, THE DRAFT REPORT LATER DISCUSSES THE
ASSERTION OF EXECUTIVE PRIVILEGE. IT GOES ON TO DISCUSS
THE CONTEMPT CITATION, CONCLUDING THAT "ACCESS TO INFORMA-
TION, EVEN WHEN IT WAS BACKED UP BY SUBPOENA, WAS NOT
SATISFACTORY."

D. SECRETIVENESS. SEVERAL CRACKS ARE TAKEN AT "THE PAS-
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SION FOR CONFIDENTIALITY AND SECRECY AT STATE." WITH
REGARD TO THE SALT MATERIAL, THE ASSERTION IS (A) THAT
MATERIAL WAS RESTRICTED WITHIN THE US GOVERNMENT WHILE THE
"RUSSIANS AND OTHER ADVERSARIES WERE EITHER DIRECTLY IN-
FORMED BY DR. KISSINGER OF THE SAME SECRETS THE COMMITTEE
SOUGHT, OR THAT RUSSIANS KNEW OF THEM BY OTHER MEANS."
MUCH LATER, IN THE REPORT'S DISCUSSION OF THE INTELLIGENCE
FAILURE BEFORE THE MIDDLE EAST WAR: "THERE WAS TESTIMONY
THAT DR. KISSINGER'S PENCHANT FOR SECRECY MAY ALSO HAVE
THWARTED EFFECTIVE INTELLIGENCE ANALYSIS. KISSINGER HAD
BEEN IN CLOSE CONTACT WITH BOTH THE SOVIETS AND THE ARABS
THROUGHOUT THE PRE-WAR PERIOD. HE, PRESUMABLY, WAS IN A
UNIQUE POSITION TO PICK UP INDICATIONS OF ARAB DISSATIS-
FACTION WITH DIPLOMATIC TALKS, AND SIGNS OF AN EVER-
INCREASING SOVIET BELIEF THAT WAR WOULD SOON BREAK OUT.
WHEN THE COMMITTEE WAS DENIED ITS REQUEST FOR HIGH-LEVEL
REPORTS, IT WAS UNABLE TO LEARN WHETHER KISSINGER ELICITED
THIS INFORMATION IN ANY USABLE FORM. IT IS CLEAR, HOWEVER,
THAT THE SECRETARY PASSED NO SUCH WARNINGS TO THE INTELLI-
GENCE COMMUNITY.... DESPITE THE OBVIOUS USEFULNESS OF
THIS INFORMATION, DR. KISSINGER HAS CONTINUED TO DENY
INTELLIGENCE OFFICIALS ACCESS TO NOTES OF HIS TALKS WITH
FOREIGN LEADERS."

E. SALT. THERE IS ALSO A SECTION ON "SALT--POLITICAL

CONTROL OF INTELLIGENCE." THE THEME IS: "THE PRIME FACTOR IN THIS SITUATION IS DR. KISSINGER, WITH HIS PASSION FOR SECRECY AND HIS EFFORTS TO CONCENTRATE POWER AND TO CONSOLIDATE ULTIMATE CONTROL OF IMPORTANT INTELLIGENCE FUNCTIONS, THROUGH HIS VARIOUS BUREAUCRATIC ROLES." IT CHARGES THAT "IN THE FINAL STAGES OF THE SALT TALKS, US NEGOTIATORS DID NOT FULLY CONSULT OR INFORM INTELLIGENCE EXPERTS WHO HAD BEEN KEY FIGURES IN PREVIOUS TREATY SESSIONS." IT NOTES THAT "ONLY RUSSIAN TECHNICAL EXPERTS WERE ON HAND" AND THAT "DR. KISSINGER'S PRIVATE TALKS WITH SOVIET LEADERS IN THIS PERIOD WERE NOT DISSEMINATED." IT ASSERTS THAT "AMBIGUITIES WHICH PLAGUE THE ACCORD AND BENEFIT THE SOVIETS MAY HAVE BEEN THE RESULT OF US POLICY-MAKERS' SELF-IMPOSED INTELLIGENCE BLACKOUT AT THE CRITICAL MOMENT." IT THEN GOES ON TO SAY THAT THE "RECORD INDISECRET

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CATES THAT DR. KISSINGER, US ARCHITECT OF THE ACCORD, HAS ATTEMPTED TO CONTROL THE DISSEMINATION AND ANALYSIS OF DATA ON APPARENT SOVIET VIOLATIONS OF THE SALT PACT." IT DESCRIBES THE "HOLD" STATUS AND CONCLUDES THAT "THE SECTOR OF IMPORTANT INFORMATION, SUGGESTING SOVIET VIOLATION OF STRATEGIC ARMS LIMITATION, PURPOSELY WITHHELD FOR EXTENDED PERIODS OF TIME FROM ANALYSTS, DECISION-MAKERS, AND MEMBERS OF CONGRESS, HAS CAUSED GREAT CONTROVERSY WITHIN THE INTELLIGENCE COMMUNITY. IN ADDITION, IT HAS RAISED QUESTIONS AS TO THE PRESIDENT'S OWN KNOWLEDGE OF AND CONCURRENCE WITH, THE 'HOLD' PROCEDURE."

F. BACKGROUNDER ON ANGOL

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